

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER**

SHANE CARGILE,

Plaintiff,

v.

ISAAC MEEKS and
COFFEE COUNTY, TENNESSEE,

Defendants.

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No.: 4:24-CV-18-CLC-SKL

MEMORANDUM & ORDER

The Court is in receipt of a prisoner's complaint under 42 U.S.C. § 1983 [Doc. 1] and his motion for leave to proceed *in forma pauperis* [Doc. 4].

It appears from the motion for leave to proceed *in forma pauperis* [*id.*] that Plaintiff lacks sufficient financial resources to pay the filing fee in a lump sum. Accordingly, pursuant to 28 U.S.C. § 1915, this motion [Doc. 4] is **GRANTED**.

Because Plaintiff is a prisoner, he is **ASSESSED** the civil filing fee of \$350.00. The custodian of Plaintiff's inmate trust account is **DIRECTED** to submit to the Clerk, U.S. District Court, 900 Georgia Avenue, Suite 309, Chattanooga, Tennessee 37402, twenty percent (20%) of Plaintiff's preceding monthly income (or income credited to Plaintiff's trust account for the preceding month), but only when such monthly income exceeds ten dollars (\$10.00), until the full filing fee of three hundred fifty dollars (\$350.00) as authorized under 28 U.S.C. § 1914(a) has been paid to the Clerk. 28 U.S.C. § 1915(b)(2).

The Clerk is **DIRECTED** to send a copy of this Memorandum and Order to the Sheriff of Coffee County, Tennessee, to ensure that the custodian of Plaintiff's inmate trust account complies with that portion of the Prison Litigation Reform Act relating to payment of the filing fee. The

Clerk is also **DIRECTED** to forward a copy of this Memorandum and Order to the Court's financial deputy.

Pursuant to the Court's review of the complaint in accordance with the Prison Litigation Reform Act, 28 U.S.C. § 1915, *see, e.g.*, 28 U.S.C. §§ 1915(e)(2) and 1915A, the Court finds that Plaintiff has stated a plausible claim against Defendants Isaac Meeks and Coffee County, Tennessee. Therefore, the Clerk is **DIRECTED** to send Plaintiff service packets (a blank summons and USM 285 form) for Defendants Meeks and Coffee County. Plaintiff is **ORDERED** to complete the service packets and return them to the Clerk's Office within fourteen (14) days of receipt of this Order.

Thereafter, the summonses will be signed and sealed by the Clerk and forwarded to the U.S. Marshal for service. *See* Fed. R. Civ. P. 4. Service on Defendants shall be made pursuant to Rule 4(e) of the Federal Rules of Civil Procedure and Rule 4.04(1) and (10) of the Tennessee Rules of Civil Procedure, either by mail or personally if mail service is not effective. Plaintiff is forewarned that if he fails to timely return the completed service packets, this action will be dismissed.

Defendants shall answer or otherwise respond to the complaint within **twenty-one (21) days** from the date of service. If any Defendant fails to timely respond to the complaint, it may result in entry of judgment by default against that Defendant.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE